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October 31, 2023

VIA ECF Filing

Hon. H. Kenneth Schroeder, Jr.
United States Magistrate Judge
United States District Court – Western District of New York
Robert H. Jackson United States Courthouse
2 Niagara Square
Buffalo, NY 14202

Re : Carol S. Marcellin, individually, and as Co-Administrator of the Estate of Charles E. Hollowell, deceased, and Jessica Hollowell-McKay, as Co-Administrator of the Estate of Charles E. Hollowell, deceased v. HP, Inc., and Staples, Inc.

Index No. : 1:21-cv-0704
Insured : Staples, Inc.
Date of Loss : 1/24/2020
PMT File No. : U-D-STPS-00104.1/MTM

Dear Justice Schroeder:

I write on behalf of counsel for all parties to request entry of a Third Amended Scheduling Order extending discovery and other deadlines in the above-referenced action. A proposed Third Amended Scheduling Order containing the dates agreed to by all counsel is being filed herewith.

This is a wrongful death and personal injury products liability action stemming from a fire that plaintiffs claim originated in a laptop computer on January 24, 2020. The defendants deny liability. The initial document discovery was extensive due to the extremely technical nature of the subject matter of this case. In addition, the parties were also awaiting the decision of Governor Hochul regarding potential changes to the Grieving Families Act, as an amended Act would have a large impact on this case.

To date, the depositions of both plaintiffs and one witness from HP, Inc. (“HP”) have been conducted. We are currently working to schedule the remaining depositions, including the deposition of a second HP witness and one or more Staples’ witnesses. As such, we are requesting a three-month extension to the case deadlines from October 31, 2023 to January 31,



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2024. The parties are confident that we will complete discovery within the extended period requested.

Thank you in advance for your consideration of our joint request.

Very truly yours,

PILLINGER MILLER TARALLO, LLP

By /s/ Jeffrey Schulman
JEFFREY SCHULMAN
WDNY Bar No. 516636

MTM/pat

cc: All counsel of record via ECF Filing System